

EXPRESS MAIL LABEL NO.: EV 657809304 US

PATENT APPLICATION
Docket No. 15436.29.1.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Aronson, et al.)
Serial No.: 10/629,253)
Filed: July 28, 2003) Art Unit 2874
For: SMALL FORM FACTOR TRANSCEIVER)
WITH EXTERNALLY MODULATED)
LASER)
Confirmation No.: 6707)
Customer No.: 022913)
Examiner: Jennifer Doan)

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Declarant, Peter F. Malen, Jr., represents that he is the Attorney of Record for Finisar Corporation, a corporation of the State of Delaware, having a principal place of business at 1308 Moffett Park Drive, Sunnyvale, California 94089, and that he is authorized to make this Declaration and execute this Terminal Disclaimer on behalf of Finisar Corporation. Declarant further represents that Finisar Corporation is the assignee of the entire interest, as shown by the Assignment recorded at reel 014779, frame 0776 (a copy of which is attached hereto as Exhibit A) in the records of the U.S. Patent and Trademark Office, of the above-identified application,

and also of the related application 10/748,051, which has now issued as United States Patent No. 6,878,875, as shown by the Assignments recorded at reel 015872, frame 0945 (a copy of which is attached hereto as Exhibit B). Declarant hereby further certifies that the evidentiary documents at Exhibits A-B have been reviewed by him, and to the best of the Declarant's knowledge and belief, title is in the Assignee seeking to take action.

The Assignee hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of said United States Patent No. 6,878,875 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to said United States Patent No. 6,878,875, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

The Assignee does not disclaim any terminal part of any patent granted on the above-identified application that would extend beyond the term of said United States Patent No. 6,878,875 in the event that said United States Patent No. 6,878,875 later: (a) expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a); (b) has all claims cancelled by a reexamination certificate; or (c) is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

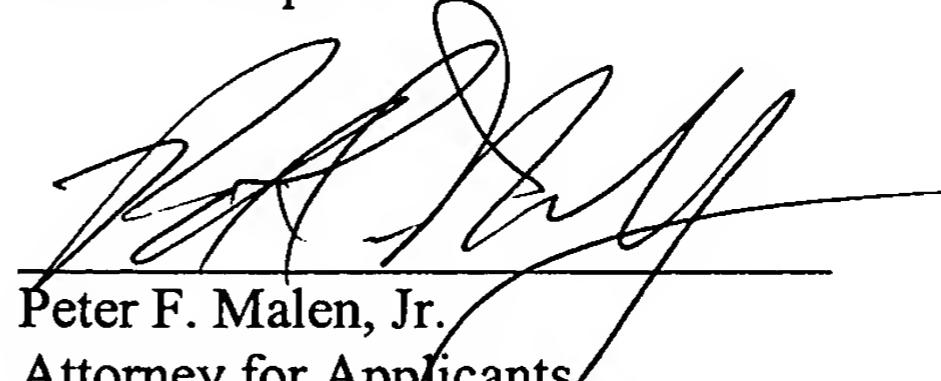
Declarant further declares that all statements made herein of Declarant's own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the

like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

DATED this 8th day of July, 2005.

Finisar Corporation

By:


Peter F. Malen, Jr.
Attorney for Applicants
Registration No. 45,576
Customer No. 022913
Telephone: (801) 533-9800

PFM/JTG/tat
TAT0000001065V001



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUNE 26, 2004

PTAS



102623587A

ERIC L. MASCOFF
100 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UT 84111

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/09/2003

REEL/FRAME: 014779/0776
NUMBER OF PAGES: 8

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).
DOCKET NUMBER: 15436581

ASSIGNOR: ARONSON, LEWIS B. DOC DATE: 08/04/2003

ASSIGNOR:

GIARETTA, GIORGIO DOC DATE: 08/04/2003

ASSIGNOR: SCHIAFFINO, STEFANO DOC DATE: 12/04/2003

ASSIGNOR: KUMAR, DEV E. DOC DATE: 07/21/2003

ASSIGNOR: MASON, T. G. BECK DOC DATE: 08/04/2003

DOCKETED

Action _____
Response Due _____
By 7/1/04 On 7/2/04
Atty _____ File # 16436-29,1,2

ASSIGNEE:

FINISAR CORPORATION
1308 MOFFETT PARK DRIVE
SUNNYVALE, CALIFORNIA 94089

SERIAL NUMBER: 10629253

FILING DATE: 07/28/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: SMALL FORM FACTOR TRANSCEIVER WITH EXTERNALLY MODULATED LASER

ANTIONE ROYALL, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

DEC 09 2003

12-16-2003

Packet No.: 15436.58.1

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Tab settings → → →

To the Director of the United States Patent and Trademark Office

102623587

Attached original documents or copy thereof.

1. Name of conveying party(ies):

Lewis B. Aronson August 4, 2003
Giorgio Giaretta August 4, 2003
Stefano Schiaffino December 4, 2003
Dev E. Kumar July 21, 2003
T.G. Beck Mason August 4, 2003

Additional names(s) of conveying party(ies)

Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: 07/21/03; 08/04/03; 12/04/03

4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

10/629,253

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Eric L. Maschoff

Internal Address: _____

12/11/2003 AOSMANI 00000056 10629253

02 FC:8021 40.00 OP

Street Address: 1000 Eagle Gate Tower

60 East South Temple

City: Salt Lake City State: UT ZIP: 84111

6. Total number of applications and patents involved:

7. Total fee (37 CFR 3.41):\$ 40.00

Enclosed - Any excess or insufficiency should be credited or debited to deposit account
 Authorized to be charged to deposit account

8. Deposit account number:

23-3178

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

R. Burns Israelsen

R. Burns Israelsen

Dec. 9, 2003

Name of Person Signing

Signature

8

Date

Total number of pages including cover sheet, attachments, and document:

Mail documents to be recorded with required cover sheet information to:

Mail Stop Assignment Recordation Services

Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450

WHEN RECORDED RETURN TO:

Workman, Nydegger & Seeley
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111

PATENT APPLICATION
Docket No: 15436.29.2.1
Express Mail Label No. EV 157 532 622 US

A S S I G N M E N T

We,

- (1) Lewis B. Aronson
794 Manor Way
Los Altos, California 94042
- (2) Giorgio Giaretta
1609 Ronden Court
Mountain View, California 94040
- (3) Stefano Schiaffino
227 Chester Street
Menlo Park, California 94025
- (4) Dev E. Kumar
404 Flagg Avenue
San Jose, California 95128
- (5) T.G. Beck Mason
4673 Batten Way
San Jose, CA 95135

respectively, have invented a method and apparatus entitled SMALL FORM FACTOR TRANSCEIVER WITH EXTERNALLY MODULATED LASER hereinafter called the "invention."

Preferred embodiments of said invention are disclosed in a United States patent application executed concurrently herewith by us and now identified as File No. 15436.29.1.2 of the law firm of Workman, Nydegger & Seeley, 1000 Eagle Gate Tower, 60 East South Temple, Salt Lake City, Utah 84111, and filed in the United States Patent and Trademark Office as Serial

No. ____/____ on _____, 2003. (We hereby authorize the attorneys of Workman, Nydegger & Seeley to insert said serial number and filing date when known.)

The Assignee, Finisar Corporation, a corporation of the State of Delaware, having a principal place of business at 1308 Moffett Park Drive, Sunnyvale, CA 94089, desires to secure the entire right, title and interest in said invention.

In consideration of One Dollar (\$1.00) and other good and valuable consideration paid to us by the Assignee, the receipt and sufficiency of which we hereby acknowledge, WE HEREBY ASSIGN TO THE ASSIGNEE:

The entire right, title and interest in said invention in the above-identified United States patent application and in all divisions, continuations and continuations-in-part of said application, or reissues or extensions of Letters Patent or Patents granted thereon, and in all corresponding applications filed in countries foreign to the United States, and in all patents issuing thereon in the United States and foreign countries.

The right to file foreign patent applications on said invention in its own name, wherever such right may be legally exercised, including the right to claim the benefits of the International Convention for such applications.

We hereby authorize and request the United States Commissioner of Patents and Trademarks, and such Patent Office officials in foreign countries as are duly authorized by their patent laws to issue patents, to issue any and all patents on said invention to the Assignee as the owner of the entire interest, for the sole use and behoof of the said Assignee, its successors, assigns and legal representatives.

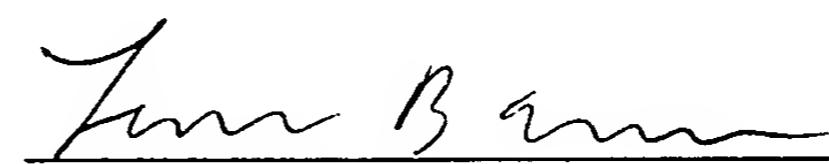
We hereby agree, without further consideration and without expense to us, to sign all lawful papers and to perform all other lawful acts which the Assignee may request of us to make this Assignment fully effective, including, by way of example but not of limitation, the following:

Prompt execution of all original, divisional, substitute, reissue, and other United States and foreign patent applications on said invention, and all lawful documents requested by the Assignee to further the prosecution of any of such patent applications.

Cooperation to the best of our ability in the execution of all lawful documents, the production of evidence, nullification, reissue, extension, or infringement proceedings involving said invention.

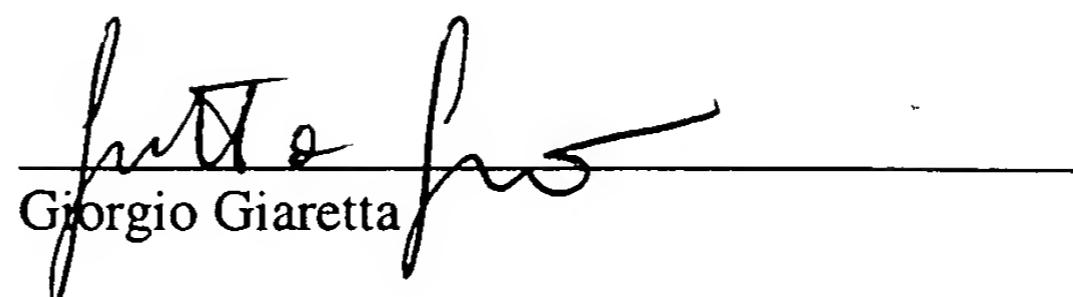
This assignment and agreement shall be binding upon our heirs and legal representatives.

DATED this 7 day of ^{April}~~April~~, 2003.

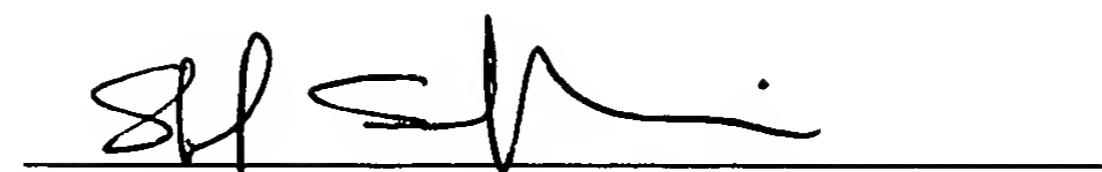


Lewis B. Aronson

DATED this 4 day of ~~April~~^{August}, 2003.


Giorgio Giaretta

DATED this 4th day of December, 2003.



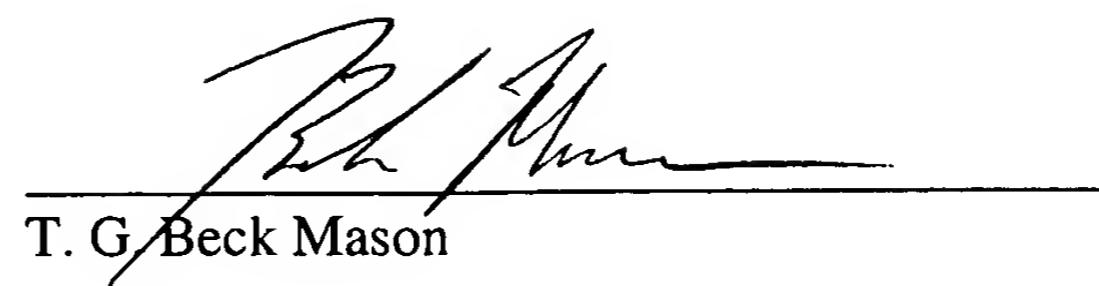
Stefano Schiaffino

DATED this 21 day of ^{July} April, 2003.



Dev E. Kumar

DATED this 4 day of ^{August} April, 2003.



T. G. Beck Mason

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

APRIL 07, 2005

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WORKMAN NYDEGGER
ERIC L. MASCHOFF
1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UT 84111

APR 1965 4/1065

UNITED STATES PATENT AND TRADEMARK OFFICE
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RECORDATION DATE: 10/08/2004

REEL/FRAME: 015872/0945
NUMBER OF PAGES: 9

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).
DOCKET NUMBER: 15436.29.1.4

ASSIGNOR: ARONSON, LEWIS B. DOC DATE: 08/04/2003

ASSIGNOR: GIARETTA, GIORGIO DOC DATE: 08/04/2003

ASSIGNOR: SCHIAFFINO, STEFANO
DOC. DATE: 12/04/2003

ASSIGNOR: KUMAR, DEV E. DOC. DATE: 07/21/2003

ASSIGNOR: MASON T G BECK DOC. DATE: 08/04/2003

ASSIGNEE:

FINISAR CORPORATION
1308 MOFFETT PARK DRIVE
SUNNYVALE, CALIFORNIA 94089

SERIAL NUMBER: 10748051

FILING DATE:

PATENT NUMBER: 6878875

ISSUE DATE: 04/12/2005

TITLE: SMALL FORM FACTOR OPTICAL TRANSCEIVER WITH EXTENDED TRANSMISSION
RANGE

MARCUS KIRK, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

10-13-2004



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U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

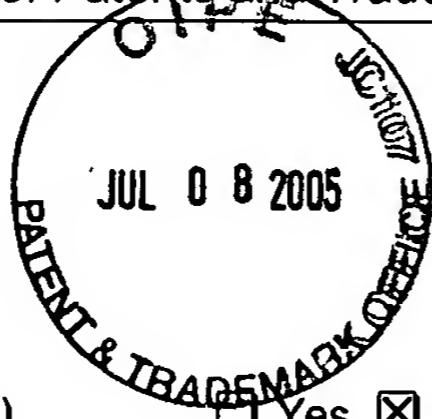
LY

To the Honorable Commissioner of Patents and Trademarks, record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Lewis B. Aronson
Giorgio Giaretta
Stefano Schiaffino
Dev E. Kumar
T.G. Beck Mason

Additional names(s) of conveying party(ies)

 Yes No


3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: 7/21/03; 8/04/03; 12/04/03

2. Name and address of receiving party(ies):

Name: Finisar Corporation

Internal Address: _____

Street Address: 1308 Moffett Park DriveCity: Sunnyvale State: CA ZIP: 94089Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

10/748,051December 30, 2003

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

6. Total number of applications and patents involved: 1Name: Workman NydeggerInternal Address: 1000 Eagle Gate Tower7. Total fee (37 CFR 3.41):\$ 40.00Street Address: 60 East South Temple

Enclosed - Any excess or insufficiency should be credited or debited to deposit account

Authorized to be charged to deposit account

10/12/2004 METACHE 00000094 10748051

01 FC:6021 40.00 00
City: Salt Lake City State: UT ZIP: 84111

8. Deposit account number:

23-3178

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

ERIC L. MASCHOFF

Name of Person Signing

Signature

8

Date

Total number of pages including cover sheet, attachments, and document:

WHEN RECORDED RETURN TO:

Workman, Nydegger & Seeley
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111

PATENT APPLICATION

Docket No: 15436.29.2.1

Express Mail Label No. EV 157 532 622 US

ASSIGNMENT

We,

- (1) Lewis B. Aronson
794 Manor Way
Los Altos, California 94042
- (2) Giorgio Giaretta
1609 Ronden Court
Mountain View, California 94040
- (3) Stefano Schiaffino
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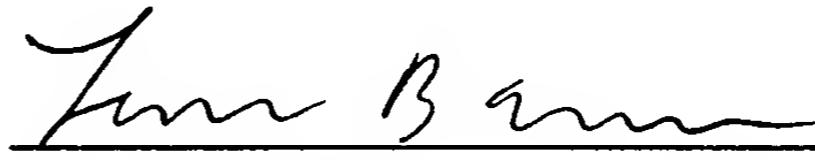
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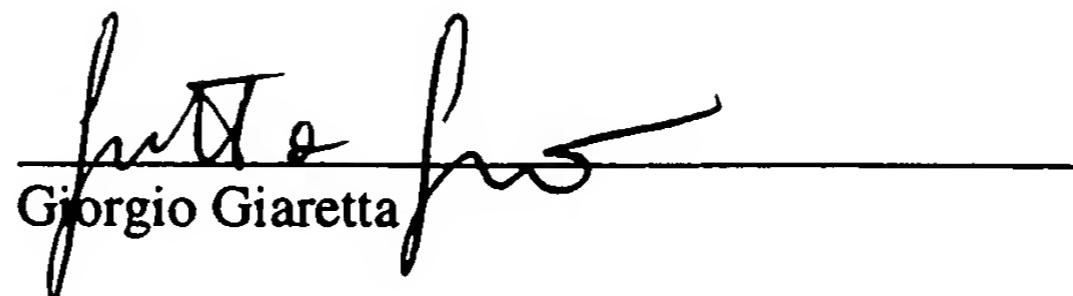
Cooperation to the best of our ability in the execution of all lawful documents, the production of evidence, nullification, reissue, extension, or infringement proceedings involving said invention.

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DATED this 4 day of ^{August} ~~April~~, 2003.


Lewis B. Aronson

DATED this 4 day of ^{August}
~~April~~, 2003.


Giorgio Giaretta

DATED this 4th day of ~~December~~
~~April~~, 2003.



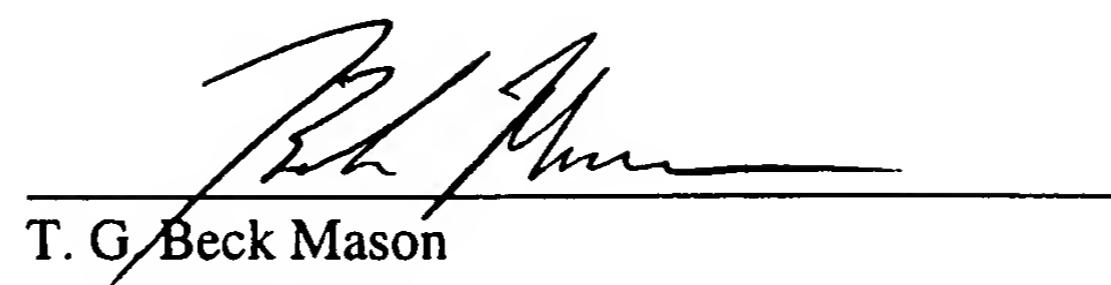
Stefano Schiaffino

DATED this 21 day of ^{July} April, 2003.



Dev E. Kumar

DATED this 4 day of ^{August} ~~April~~, 2003.



A handwritten signature in black ink, appearing to read "T. G. Beck Mason", is written over a horizontal line. The signature is fluid and cursive, with "T. G." on the left and "Beck Mason" on the right.

W:\15436\207\BLM0000001051\V001.doc